

Adams has defended in the press, saying that the employees whom he will be dismissing are actually “quitting.”

5. Many of these people are being terminated tomorrow. We respectfully ask that the Court recognize the urgency of the present situation and grant an injunction against these impending terminations while the rights that are at stake in the instant lawsuit are determined.
6. Attached as **Exhibit A** is a true and correct copy of the Order of the Commissioner of Health and Mental Hygiene to Require COVID-19 Vaccination for Department of Education Employees, Contractors, Visitors, and Others, dated August 24, 2021 (“Original Mandate”), which my office downloaded from the City of New York’s website.
7. Attached as **Exhibit B** is a true and correct copy of the Arbitration Award dated September 10, 2021 issued by Arbitrator Martin F. Scheinman in the Matter of the Arbitration between Board of Education of the City School District of the City of New York and United Federation of Teachers, Local 2, AFT, AFL-CIO (“UFT Award”), which was sent to my office by the Plaintiffs.
8. Attached as **Exhibit C** is a true and correct copy of the Order of the Commissioner of Health and Mental Hygiene to Require COVID-19 Vaccination for Department of Education Employees, Contractors, Visitors, and Others, dated September 15, 2021, which my office downloaded from the City of New York’s website.
9. Attached as **Exhibit D** is a true and correct copy of the Order of the Commissioner of Health and Mental Hygiene to Require COVID-19 Vaccination for City Employees and Certain City Contractors, dated October 20, 2021, which my office downloaded from the

City of New York's website.

10. Attached as **Exhibit E** is a true and correct copy of the Order of the Commissioner of Health and Mental Hygiene to Require COVID-19 Vaccination for Nonpublic School Staff, dated December 2, 2021, which my office downloaded from the City of New York's website.

11. Attached as **Exhibit F** is a true and correct copy of the Order of the Commissioner of Health and Mental Hygiene to Require COVID-19 Vaccination in the Workplace, dated December 13, 2021, which my office downloaded from the City of New York's website.

I hereby certify that I have made the following efforts to give notice to Defendants' counsel of this emergency application in the following manners: (1) at 1:30 p.m. on February 10, 2022, I emailed notice to Lora Minicucci, Assistant Corporation Counsel at New York City Law Department, and since then we have exchanged emails and I have sent her a copy of the complaint; and (2) our paralegal, Brandon Babwah, reached out by phone at 1:42 p.m. to James Cooney, Esq, Director of Emergency Litigation / Assistant Attorney General, New York State Office of the Attorney General, and left a message for him with the case number, the nature of the case, and our intent to request immediate relief. Additional notice should not be necessary because of the emergency nature and the broad and far-reaching imminent injury to a multitude of the plaintiffs and the class.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this declaration was executed on February 10, 2022.

Respectfully submitted,

NELSON MADDEN BLACK LLP

Attorneys for Plaintiffs and the Class

/s/ Jonathan R. Nelson

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